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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/714,624

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David Stinson

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EXAMINER

PRICE, CRAIG JAMES

ART UNIT

PAPER NUMBER

3753

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/714,624	Applicant(s) STINSON, DAVID	
	Examiner Craig Price	Art Unit 3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,18-20 and 28-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,18-20 and 28-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 28 – 35 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation in claim 28, “wherein the power means constantly power said sensor means and said microprocessor means”, is not supported in the specification. Appropriate correction is required.

Applicant's amendment overcomes the rejection under the second paragraph of 35 U.S.C. 112.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,3,4,7, 28 -31, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rabizadeh (5,606,123) in view of Huang (5,889,464).

Regarding claims 1 and 28, Rabizadeh discloses a digital pressure display comprising, sensor means for sensing the pressure (124), and power means (136) to power to the sensor means and the microprocessor means for generating a digital pressure reading wherein the sensor means sensing the pressure at predetermined sampling intervals reduce the power requirements, and generate a signal (146), as shown in Figures 6 and 11.

Rabizadeh is silent to having a microprocessor means to intermittently enable the operation of the sensor means to sense the pressure at predetermined sampling intervals.

Huang discloses a tire pressure indicator which teaches the use of a microprocessor (61) means to intermittently enable the operation of the sensor means to sense the pressure at predetermined sampling intervals (Col. 6, Lns. 4-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the microprocessor as taught by Huang with the microprocessor of Rabizadeh in order to obtain pressure values of air in the pneumatic tires (Col. 6, Lns. 9-13).

Regarding claims 3 and 30, Rabizadeh discloses that the power means is a battery (Col. 6, Lns. 2-3).

Regarding claims 4 and 31, Rabizadeh discloses that the battery is rechargeable (Col.5, Ln. 67 – Col.6, Ln.1)

Regarding claims 7 and 34, Rabizadeh discloses that the circuitry has a solar power cell to recharge the battery (Col.6, Lns. 2-3).

Claims 5,6,32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rabizadeh (5,606,123) and Huang (5,889,464) and further in view Salmond (5,032,287).

Rabizadeh and Huang have disclosed all of the features of the claimed invention except that the digital pressure display further includes a light sensor for sensing a dark condition so as to terminate the generation of the digital pressure reading during the dark condition.

Salmond discloses a fluid system, which utilizes an ambient sensor, which further includes a light sensor for sensing a dark condition (Col. 3, Lns. 28-34) so as to terminate the generation of the digital pressure reading during the dark condition (the term “so as to”, is considered as an intended state of use).

In view of the Salmond patent, it would have been obvious to one of ordinary skill in the art at the time of invention to utilize a light sensor as taught by Salmond into the device of Rabizadeh to have a light sensor for sensing a dark condition in order to optimize power consumption.

Claims 8, 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (6,171,104) and Huang (5,889,464) and further in view of Rabizadeh (5,606,123).

Firstly, Saito et al. discloses a manual valve 36 and pressure sensor 35, but is silent to having a microprocessor means to intermittently enable the operation of the sensor means to sense the pressure at predetermined sampling intervals.

Huang discloses an automated fluid handling system which teaches the use of a microprocessor (61) means to intermittently enable the operation of the sensor means to sense the pressure at predetermined sampling intervals (Col. 6, Lns. 4-13).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the microprocessor as taught by Huang with the microprocessor of Saito et al. in order to obtain pressure values of air in the system (Col. 6, Lns. 9-13).

Secondly, Saito et al. is silent in providing a visible digital pressure display.

Rabizadeh discloses a pressure monitoring device which teaches the use of a visual digital display 132.

It would have been obvious to one of ordinary skill in the art at the time of invention to employ a digital display as taught by Rabizadeh into the system of Saito et al. in order to manually indicate to an operator the pressure of the system.

Thirdly, Saito is silent in that the digital display is replaceable with a needle dial display.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a needle dial in place of a digital dial display in order to not require the use of alternative powering means.

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. (6,171,104), Huang (5,889,464) and Rabizadeh (5,606,123) and further in view of Gauthier (6,007,330).

Saito et al., Huang and Rabizadeh are silent to providing the alarm in the event of a no-pressure vacuum level.

Gauthier discloses a fluid control system for a semiconductor manufacturing process which teaches the use of vacuum pressure alarm (Col.6, Lns. 21 – 34).

It would have been obvious to one of ordinary skill in the art at the time of invention to employ the alarm of Gauthier into the system of Saito et al. in order to instruct the operator of a vacuum level which has varied from the setpoint or predetermined level (Col.6, Lns. 28 – 32) to perform a certain function.

Double Patenting

Applicant is advised that should claim 34 be found allowable, claim 35 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Response to Arguments

Applicant's arguments with respect to claims 1,3-9,18-20 and 28-35 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 12/15/2008 have been fully considered but they are not persuasive. Applicant's arguments with respect to the rejection under 35 USC 112 first paragraph are not persuasive as the paragraphs 47-49 do not indicate support for the power means which "constantly power the sensor means and microprocessor means".

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 3753

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig Price whose telephone number is (571) 272-2712. The examiner can normally be reached on 7AM - 5:30PM Mon-Thurs, Increased flex time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Rivell/
Primary Examiner, Art Unit 3753

/C. P./
Examiner, Art Unit 3753